

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CLIFFORD F. TUTTLE, JR., §
REPRESENTATIVE OF THE ESTATE OF §
DENNIS W. TUTTLE, DECEASED, ROBERT §
TUTTLE, AND RYAN TUTTLE, §
§
Plaintiffs §

v. §
CITY OF HOUSTON, *et al.*, §
Defendants. §

Civil Action No. 4:21-cv-00270

AND

JOHN NICHOLAS, as temporary administrator §
of the Estate of Rhogena Nicholas and JO ANN §
NICHOLAS, individually and as an heir of the §
Estate of Rhogena Nicholas, §
Plaintiffs §

v. §
CITY OF HOUSTON, *et al.*, §
Defendants. §

Civil Action No. 4:21-cv-00272

DEFENDANT CITY OF HOUSTON'S
AGREED MOTION TO EXTEND THE JOINT PTO AND MIL DEADLINES

The City of Houston (the “City”) respectfully files this Agreed Motion to Extend the Joint Pretrial Order (“PTO”) Deadlines for Defendants and Plaintiffs, as well as the deadline for all parties to file Motions in Limine (“MIL”), by two weeks. Currently, the Court’s Scheduling Order, Dkt. No. 285, requires Defendants to supply Plaintiffs with a final version of their PTO by September 16, 2024. Plaintiffs must then file the parties’ joint PTO by September 30, 2024. All MILs are also due on September 30, 2024.

The City respectfully requests that the current September 16, 2024, deadline for Defendants to supply Plaintiffs with their final version of the PTO be extended to September 30, 2024, and that the current September 30, 2024, deadlines for Plaintiffs to file the PTO and for all parties to file their MILs be extended to October 14, 2024. There is good cause for the requested two-week extensions because all parties are currently in the process of diligently preparing responses and/or replies to extensive summary judgment motions and/or Daubert motions, all of which are due within the next few weeks.

For the foregoing reasons, the City respectfully requests that the Court grant this Agreed Motion to Extend the Joint Pretrial Order and Motion in Limine Deadlines by two weeks. This extension is not sought for delay, but so that justice may be done.¹

Dated: September 11, 2024

Respectfully submitted:

BECK REDDEN LLP

/s/ Alistair B. Dawson

Alistair B. Dawson

State Bar No. 05596100

Federal Bar I.D. 12864

adawson@beckredden.com

Garrett S. Brawley

State Bar No. 24095812

Federal Bar I.D. 3311277

gbrawley@beckredden.com

Lena E. Silva

State Bar No. 24104993

Federal Bar I.D. 3608019

lsilva@beckredden.com

1221 McKinney St., Suite 4500

Houston, Texas 77010-2010

Telephone: (713) 951-3700

Facsimile: (713) 951-3720

¹ In light of the pending motions for summary judgment, the City intends to file a Motion to Continue the trial setting in this case. The City anticipates filing this Motion within the next few days. The forthcoming Motion to Continue has not been agreed to by Plaintiffs.

/s/ Al Odom

Al Odom
State Bar No. 15201100
Federal Bar I.D. 12913
The Odom Law Firm
601 Sawyer Street, Suite 225
Houston, Texas 77007
Telephone: (713) 357-5153
E-mail: aodom@aodowlawfirm.com

**ATTORNEYS FOR DEFENDANT CITY OF
HOUSTON**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to all counsel of record on this the 11th day of September 2024, pursuant to the Federal Rules of Civil Procedure.

/s/ Alistair B. Dawson

Alistair B. Dawson

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with counsel for Plaintiffs, and Plaintiffs' counsel informed me that Plaintiffs agree with the relief requested. Plaintiffs are not agreeing to the forthcoming Motion to Continue the trial setting. I have also conferred with counsel for the other Defendants and they agree with the relief requested in this Motion. Thus, this Motion is unopposed.

/s/ Alistair B. Dawson

Alistair B. Dawson